



COUNTY OF DARE, NORTH CAROLINA

District 1: Roanoke Island & Mainland; District 2: Nags Head, Colington, Kill Devil Hills; District 3: Kitty Hawk, Southern Shores, Duck; District 4: Chicamacomico, Avon, Buxton, Frisco, Hatteras; District 5: At Large

Regularly scheduled Board meetings are videotaped and can be viewed at www.darenc.com

MINUTES

DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

5:00 p.m., April 18, 2016

Commissioners present: Chairman Robert Woodard
Vice-Chairman Wally Overman
Warren Judge, Jack Shea
Beverly Boswell, Margarett Umphlett

Commissioners absent: Allen Burrus

Others present: County Manager/Attorney, Robert Outten
Finance Director, David Clawson
Public Information Officer, Dorothy Hester
Clerk to the Board, Gary Gross

A full and complete account of the entire Board of Commissioners meeting is archived on a video that is available for viewing on the Dare County website www.darenc.com.

Chairman Woodard called the meeting to order at 5:03 p.m. He invited Rev. Andrew White from Manteo Baptist Church to share a prayer, and then he led the Pledge of Allegiance to the flag.

ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE

Chairman Woodard presented a certificate of appreciation to Rev. Tom Murphy for the 25 years of service he has given Dare County’s foster care program. The Chairman announced that beginning May 2 a video link will be available at the Fessenden Center in Buxton that will give Hatteras Island residents the opportunity make public comments during Board meetings without having to travel to Manteo. Chairman Woodard provided details about Law Enforcement Appreciation Day and presented a resolution of support.

MOTION (Att. #4)

Commissioner Judge motioned to adopt the resolution in support of law enforcement. Commissioner Umphlett and Commissioner Shea seconded the motion.

VOTE: AYES unanimous

The Chairman asked for a motion to amend the agenda to add item 5-A for the bid award for the Buxton beach nourishment project.

MOTION

Commissioner Judge motioned to amend the agenda to add the Buxton beach nourishment bid award.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 2 – PUBLIC COMMENTS

The Manager outlined the public comments procedure. Nobody responded to the invitation to make public comments.

ITEM 3 – PRESENTATION ON TUNA TREATED WITH CARBON MONOXIDE

Dewey Hemilright explained that some of the tuna available to American consumers has been gassed with carbon monoxide, which gives the product an attractive, bright red appearance. He said this is done to make consumers believe the tuna is fresh by masking the change in color that naturally occurs. He criticized the federal labeling regulations that allow this deceptive practice to be done without consumer awareness.

ITEM 4 – TOURISM BOARD REQUEST CONSENT FOR SPENDING FROM RESTRICTED FUNDS

Lee Nettles outlined several Restricted Fund spending requests. He presented a request totaling \$39,712.50 for upcoming fireworks displays in Avon, Kill Devil Hills, Manteo, and Nags Head. He also described requests that will benefit the Nature Conservancy and the Network for Endangered Sea Turtles (NEST) totaling \$83,800.00.

MOTION

Commissioner Judge motioned to approve the restricted fund requests for fireworks totaling \$39,712.50.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

MOTION

Vice-Chairman Overman and Commissioner Umphlett motioned to approve the \$75,000 restricted fund request for the Nature Conservancy and the \$8,800 restricted fund request for the Network for Endangered Sea Turtles (NEST).

Commissioner Judge seconded the motion.

VOTE: AYES unanimous

ITEM 5 – FIVE YEAR GENERAL FUND FINANCIAL PROJECTION

The Finance Director gave a five year projection on the County's General Fund where he described funding sources, balances, and projected debt payments. Mr. Clawson reported that the five year projection shows no structural imbalance between funding sources and expenditures in the budget. He said doing a five year financial projection is considered a best practice, which has a positive impact on credit ratings.

ITEM 5-A – BID AWARD FOR BUXTON BEACH NOURISHMENT PROJECT

County Manager Outten reported on efforts that have been made since the last Board meeting to obtain emergency federal funding for a 2016 start on the Buxton beach nourishment project. Mr. Outten and Chairman Woodard summarized calls made to the offices of Senator Burr, Senator Tillis, Congressman Jones, and NCDOT where it was learned that no emergency funds are available. It was noted that Dr. Kana at Coastal

Science & Engineering recommends that the County accept a construction bid as soon as possible to allow ample time for approval from the Local Government Commission.

MOTION

Vice-Chairman Overman motioned to accept the 2017 bid from Weeks Marine Construction and authorize the County Manager to negotiate and execute the contract and sign any Budget Amendments or other needed documents.

Commissioners Judge, Umphlett, and Shea seconded the motion.

VOTE: AYES unanimous

ITEM 6 – BUDGET AMENDMENT FOR BEACH NOURISHMENT FUND FOR INLET MAINTENANCE

Mr. Clawson presented a Budget Amendment authorizing \$500,000 to the State for inlet maintenance, which represents the second \$500,000 payment coming from the Beach Nourishment Fund for fiscal year 2016. The County Manager explained that because of issues related to the Memorandum of Agreement (MOA) the State has requested that \$350,000 of the \$500,000 amount be sent at this time with the balance to follow later.

MOTION

Vice-Chairman Overman motioned to adopt the \$500,000 budget amendment with payment disbursements as outlined by the County Manager.

Commissioner Boswell and Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 7 – RESOLUTION AUTHORIZING THE NEGOTIATION OF AN AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT (Att. #1)

Mr. Clawson presented a debt resolution to provide financing for the Buxton beach nourishment project and an HVAC chiller unit at the Cape Hatteras Secondary School. The Finance Director outlined the resolution and gave details of the financing and how it will be done. He noted that the resolution has a not to exceed amount of \$27,000,000.

MOTION

Commissioner Judge motioned to adopt the resolution authorizing the negotiation of an amendment to an installment purchase contract not to exceed \$27,000,000 to provide financing for the Buxton beach nourishment project in the amount of \$24.2 million and \$682,000 for an HVAC chiller at Cape Hatteras Secondary School.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

ITEM 8 – PUBLIC HEARING – SERIES 2016B LOB(s)

At 6:12 p.m., the Dare County Board of Commissioners held a Public Hearing to receive input concerning this agenda item. The County Manager conducted the hearing and explained the procedure for making comments. No one responded to the invitation to address the Board. Chairman Woodard closed the hearing at 6:12 p.m.

ITEM 9 – CONSENT AGENDA

The Manager announced the Consent Agenda items as they were visually displayed. Mr. Outten asked that approval for the Duck Water Tower Lease include an amendment necessary for the statutory requirement pertaining to the Iran Divestment Act.

MOTION

Commissioner Shea motioned to approve the Consent Agenda:

- 1) Approval of Minutes (04.04.16) **(Att. #2)**
- 2) Duck Water Tower Cellular Lease for T-Mobile
- 3) Tax Collector's Report

Vice-Chairman Overman and Commissioner Boswell seconded the motion.

VOTE: AYES unanimous

ITEM 10 – COMMISSIONERS' BUSINESS & MANAGER'S/ATTORNEY'S BUSINESS

Following is a brief outline of items raised during this segment. Commissioners and the County Manager frequently make extensive remarks, which can be viewed in their entirety on a video archived on the Dare County website www.darenc.com.

Commissioner Shea – reported on the latest meeting that he participated in with NC State and others on the status of the County's economic development program.

Vice-Chairman Overman – announced that school based counseling services will continue into next year thanks to Trillium. The Vice-Chairman said this is good news for the people of Dare County and thanked Trillium for coming through with funding.

Commissioner Umphlett – thanked Dewey Hemilright for the informative presentation on seafood. She added that visitors to the Outer Banks expect to eat local seafood in our restaurants. Commissioner Umphlett also promoted the County's bi-annual pick-up of refrigerators and other white goods that is conducted by the Public Works department.

Commissioner Judge – thanked Chairman Woodard for reaching out to Washington in an effort to obtain emergency funding for Buxton beach nourishment. Commissioner Judge reported that the College of the Albemarle (COA) Board of Trustees are meeting to determine projects and suggested that the COA president set up a workshop session with the Dare County Board of Commissioners to discuss capital improvements.

Commissioner Boswell – described a recent event she attended for Hotline and announced that April is Sexual Assault Awareness Month. She thanked Hotline for their service to the community and noted that they have been invited to make a presentation at an upcoming Board meeting. Congratulations were extended to all those who participated in a recent citizenship ceremony. On behalf of the Oregon Inlet Task Force, Commissioner Boswell presented a resolution urging the NC Department of Administration to quickly move forward with acquiring properties at Oregon Inlet.

MOTION (Att. #3)

Commissioner Judge motioned to adopt the resolution as presented.

Vice-Chairman Overman and Commissioner Shea seconded the motion.

VOTE: AYES unanimous (Commissioner Umphlett was out of the room during voting on this item)

Chairman Woodard – thanked Dewey Hemilright for his presentation on the deceptive practice of gassing tuna with carbon monoxide.

MANAGER’S/ATTORNEY’S BUSINESS

1. Mr. Outten reported that Milestone Communications, a cell tower management company, has interest in marketing technology space on Dare County property and splitting the revenue. He asked if there was interest in having the firm make a presentation. It was the consensus of the Board to extend an invitation.

2. Mr. Outten reported that STJ Enterprises proposes to gift to the County 5 oceanfront lots in Rodanthe that they are unable to develop because of erosion issues. He explained that the properties are 3 parcels south of the new County beach access site and noted that the tax value on the books is about \$889,000.

MOTION

Commissioner Judge motioned to accept the gift from STJ as outlined by the County Manager assuming all taxes are paid and there are no liens.

Vice-Chairman Overman and Commissioner Umphlett seconded the motion.

VOTE: AYES unanimous

3. The Manager presented a request from Ladd Bayliss at the Coastal Federation for a letter expressing support for their crab pot removal program.

MOTION

Commissioner Judge motioned to authorize a letter of support.

Commissioners Overman, Shea, Umphlett, and Boswell seconded the motion.

VOTE: AYES unanimous

4. Mr. Outten outlined work needed on the HVAC system at the Health and Human Services building at a cost of approximately \$64,000. He identified two sources of funds that he would like to move to address this need – a) about \$20,000 left over from other projects. b) \$43,856 that was budgeted earlier for parking lot repairs at the old DMV facility, which are not needed since the DMV has moved.

MOTION

Commissioner Judge motioned to authorize the transfer of funds as outlined.

Vice-Chairman Overman and Commissioner Shea seconded the motion.

VOTE: AYES unanimous

5. The Manager briefed the Board on the status of the Memorandum of Agreement (MOA) for Hatteras Inlet. He noted that the Waterways Commission has indicated that they would like the County to pursue dredging of the “Connecting Inlet” which is the area that was recently done. He said the Waterways Commission would like the permits amended to use either a hopper dredge or a sidecaster dredge; however, the sidecaster option should be deleted from the request if it increases the time needed to get the permits. Mr. Outten reported that this information has been provided to Senator Cook’s office and they will move forward on this request.

At the conclusion of Manager's/Attorney's Business the Board recessed to take a short break and go to Room #238 in the Administration Building for a Budget Workshop.

RECESS: 6:33 p.m. – 6:50 p.m.

ITEM 11 – BUDGET WORKSHOP

Chairman Woodard thanked County Department Heads for attending the workshop and Mr. Outten commended them for doing a diligent job managing their budgets. The Manager announced that preliminary budget plans provide for a balanced budget with no tax increase for the upcoming fiscal year. He outlined General Fund expenditures and revenues gave a detailed summary of departmental requests for fiscal year 2017.

The County Manager reviewed the employee health insurance plan and announced that there will be no change in policy benefits or deductibles for the coming year. It was noted that there will be a 19.7% increase for those who pay for child or family coverage. In order to prepare the material that is necessary for Open Enrollment, Mr. Outten asked the Board to approve the 2017 health insurance plan.

MOTION

Commissioner Shea motioned to approve for 2017 the same employee health insurance plan structure that is in place for the current fiscal year with the 19.7% increase outlined by the County Manager.

Commissioner Boswell seconded the motion.

VOTE: AYES unanimous

During the workshop, Mr. Outten addressed several other issues including the proposed tax service district for Buxton and charges the County is facing for credit card usage. He also explained that since real estate values have not changed appreciably, the next property revaluation will likely be in 2021 rather than 2018. Mr. Outten recommended an expenditure of \$20,000 for a firm to assist the Business Personal Property Tax office with appraisals for one year. He also presented a request from the Sheriff's Office to add 3 people with a grant covering 100% of the cost for the first year, 75% for the second year, and 50% for the third year. He noted that the County will have to pay the entire amount in the fourth and subsequent years. After exploring the request and discussing how the new staff might be utilized, it was the consensus of the Board to allow the item to be in the upcoming budget.

Mr. Outten invited Commissioners to contact him with any questions or budget concerns. He said he will plan to formally present the Manager's Proposed Budget at the May 2 Commissioners meeting with a Public Hearing to be scheduled later for either May 16 or June 6.

At 8:16 p.m., the Board of Commissioners adjourned until 9:00 a.m., May 2, 2016.



Respectfully submitted,

By: 
Gary Gross, Clerk to the Board

APPROVED:

By: 
Robert Woodard, Chairman
Dare County Board of Commissioners